1174

THE MYSORE GAZETTE.

EXTRAORDINARY.

Published by Authority.

BANGALORE, THURSDAY, MARCH 31, 1892.

Notification by the Govt. of His Highness the Maharaja of Mysore.

GENERAL.

NOTIFICATION.

The 30th March 1892.

No. 495.—Whereas inconvenience is experienced, as the rules framed by the Government of His Highness the Maharaja under the Excise Act XXII of 1881, are scattered among detached Notifications, and whereas it is expedient to consolidate them and publish them in a connected form, the following rules framed by the Government of His Highness the Maharaja under the provisions of the Excise Act XXII of 1881, are hereby published for general information and guidance in lieu of all existing rules relating to the subjects herein dealt with :—

PRELIMINARY.

These Rules are divided into three parts, namely—

PART I.—The manufacture of country spirits and management and supervision of the Distillery, Bonded Warehouses and Bonded Depots ;

PART II.—The sale and transport of country spirits grant of " Vend farms " and " separate shops " and issue of Licenses and passes ; and

PART III.—Miscellaneous.

PART I.

THE MANUFACTURE OF COUNTRY SPIRITS AND MANAGEMENT AND SUPERVISION OF THE DISTILLERY, BONDED WAREHOUSES AND BONDED DEPÔTS.

I. The exclusive privilege of the manufacture of country spirits (or arrack) shall be disposed of from time to time in such manner and for such fixed period as the Government may direct and appoint in that behalf.

II. The person to whom this privilege may be granted (called the Manufacturer hereafter), shall exercise the same in strict accordance with the Excise Law and Rules thereunder passed by Government, which may be in force for the time being, and subject specially to the following conditions :—

1175

1. The privilege granted to the Manufacturer shall not include the manufacture or sale of toddy, of "foreign spirits and foreign fermented liquors", or of beer.

2. The Manufacturer shall manufacture the country spirits (or arrack) within the enclosure of the Government Distillery near Bangalore, or at such other place as may be approved by the Government. For the use of the Distillery building near Bangalore and the arrangements existing in connection with the water-supply, the Manufacturer shall pay such rent as may be fixed by Government.

3. The rate of price at which the Manufacturer is to supply country spirits to the Government, shall be fixed for 20° under proof, and this rate shall be the price at which the same shall be sold by him to separate shop-keepers and to renters of vend farms in defined tracts. For liquor of greater or less strength than 20° under-proof which may be specially manufactured and issued under Rules sanctioned by the Government, the price shall be calculated proportionately (upon the price for 20° under proof in accordance with Casella's rules.

4. The Manufacturer shall keep ordinarily the supply for a month's consumption, and never less than a minimum fixed by Government, in store at the Distillery. This minimum is fixed at 17,500 gallons until further orders.

5. The Manufacturer will be allowed to purchase liquor from any Sugar Factory which may be established in Mysore, and which may be authorized by Government to distil country spirits, the grant of the privilege of manufacture to the Manufacturer notwithstanding, the Government always retaining the power to authorize the distillation of country spirits in any Sugar Factory. Should the Manufacturer himself establish a Sugar Factory and distil country spirits therein with the permission of the Government, he will be bound to keep in stock such quantities of liquor at such Factory as may be fixed by Government.

6. In outlying tracts where, owing to small consumption or other causes, there is reason to suspect illicit distillation, Government shall be at liberty to establish outstills.

7. The Government may allow the Manufacturer to manufacture Colombo or other kinds of arrack or liquor, subject to such conditions as to the mode of manufacture, payment of duty, the Agency of sale, and other matters as the Government may prescribe on the application of the Manufacturer.

8. The Manufacturer shall, upon receipt by him of price at the rates fixed by his contract, sell the liquor at the Government Distillery or other place where he may be allowed to manufacture. Such sales shall only be—

1*st.* for the supply of such Bonded Warehouse, if any, as Government may decide to establish and maintain; and for issue to the Bonded Depots in charge of any Government Contractor appointed by Government to distribute the liquor to such vend farms in defined tracts or such separate shops in specified localities as may be fixed by Government;

2*nd.* to separate shop keepers (Retail vendors) licensed to sell in the Civil and Military Station of Bangalore, in the Cities of Bangalore and Mysore and in other places to which the separate shop system may be extended;

3*rd.* to renters of vend farms to whom the Government may sell the right to vend liquor in defined tracts.

III. The following rules shall regulate the relations of an incoming Manufacturer to an outgoing Manufacturer:—

1. The old manufacturer shall give, and the new manufacturer shall take over, any arrack which may remain as stock in hand on the last day of an expiring contract, the latter paying the former for the same such value as may be fixed by the Exise Commissioner. Such stock shall not ordinarily be in excess of that manufactured monthly on an average for the past 36 months.

2. Should the new Manufacturer so require, the old Manufacturer shall cease preparing "wash" during the last month of an expiring contract, and vacate the buildings to admit of the new Manufacturer commencing operations. Notice to this effect should be given in writing to the old Manufacturer at least one week previously. Should no such notice be given, the old Manufacturer will continue distilling only till the end of his contract, and must, by that date, utilize all the wash on hand, and cease distilling thereafter.

3. If any apparatus, stock and block belonging to the old Manufacturer be required by the new Manufacturer, he shall give notice to the old Manufacturer of his intention to purchase them at a fair valuation, at least a month before the expiry of the old Manufacturer's contract; and in case of dispute, the Excise Commissioner will decide what such fair valuation shall be. But if no such notice be given, the old Manufacturer shall be at liberty to remove the same, leaving the new Manufacturer to make his own arrangements in the matter. Improvements of a permanent nature shall be retained and not be disturbed, except with the approval of the Executive Engineer.

V. The following rules shall regulate the management and supervision of the Distillery and the manufacture and storage of country spirits in it:—

1. The Distillery shall be opened at sun-rise and be closed at sun-set, except on Sundays and authorized holidays, when it will be closed. Under the special order of the Excise Commissioner, and on such conditions as he may prescribe, the Distillery may be worked during nights and on holidays to bring up stock or to meet urgent demand.

2. The Distillery shall be open at all times for inspection by the officers of the Excise Department, or any other official appointed for the purpose. All locks of the Distillery shall be sealed after work is closed each day, and the keys delivered under seal to the officer in charge of the Distillery for safe custody. No arrack shall be taken out of the Distillery until it has been measured and tested by an official of Government appointed for that purpose. The Manufacturer shall promptly execute such repairs to the Distillery buildings and channels as may be pointed out by the Executive Engineer, provided the cost in the year does not exceed 50 rupees.

3. The spirits manufactured shall be of good quality. The articles used in distilling shall be approved by the Senior Officer in charge of the Distillery. No ingredients obnoxious to health shall be used in distilling, or put into the arrack after it has been made. Standard Saccharometors by Long and Dring and Fage for determining the gravity of the "wash" in its several stages till distilled, shall be kept by the Manufacturer, and a true and correct record maintained for verification and check by the Excise officers. Al "wash" shall be secured under lock and key and kept in closed rooms. All spirits shall be kept in a store-room which will be provided by Government for the purpose, and the key of which will be kept by the Officer in charge.

4. The liquor manufactured shall not be adulterated or diluted. But distilled water may be used at the Distillery under the supervision of the Senior Officer in charge of the Distillery, for the purpose of reducing the strength of the liquor.

5. The measure to be used at the Distillery shall be the Standard Imperial gallon; and $\frac{1}{51}$ part thereof shall be equal to one "arrack dram" of 1,500 minims. These measures shall be passed and sealed by the Excise Department.

6. Cartier hydrometers shall be supplied to the Distillery at the expense of the Manufacturer.

7. All liquor up to 16° Cartier shall be passed into stores as good liquor.

8. All liquor at 15° Cartier and below shall be designated (Chuppe)faints. No "Chuppe" or hot or warm liquor or any liquor which is discolored or tainted with venom or verdigris shall be passed into stores.

9. No liquor below 15·5° Cartier shall be allowed to be mixed either at the still or brought into stores to be mixed with good liquor.

10. Liquor in any way discolored or with a burnt or bad smell shall be re-distilled, and not admitted into the stores.

11. When "weak faints" are redistilled, either four pounds of common salt or a couple of baskets full of charcoal per still, shall be used.

12. In stills which have not been worked for more than three days, water shall be distilled prior to using them for distillation of liquor.

13. All still-heads, pipes and worms used for the distillation or reception of liquor shall be of cast tin; but if copper heads, pipes and worms are used, they shall be properly and efficiently lined with tin at prescribed intervals.

14. The Manufacturer shall keep true and correct accounts in the prescribed forms of his receipts and disbursements, and of the quantity and strength of the spirits manufactured in and issued from the Distillery, and of all the materials received and expended daily at the Distillery. The cash accounts of the Manufacturer shall be posted up daily, each item of purchase of stock being duly vouched; and an abstract of the cash accounts in the prescribed form shall be furnished monthly to the Excise Commissioner's Office, duly attested by the Manufacturer or his Agent. He shall produce all such accounts, whenever required to do so, for inspection by the Excise Commissioner, or any other official appointed for the purpose.

V. The following rules regarding the issue of liquor from the Distillery shall be observed:—

1. Liquor shall ordinarily be issued at a strength 20° under proof (excepting in special cases hereinafter mentioned). Should a shop keeper or vend renter desire to have liquor at a higher strength than the above, the liquor so issued shall not be of a greater strength than 10° under proof. Liquor of strength at 10° under proof shall be issued from the Distillery in two dozen quart bottles, four dozen pints and so on for lower denominations of flasks as for English and Foreign spirits; the bottles shall be supplied by the shop keeper or vend renter, as the case may be, and the liquor shall be issued in such bottles from the Distillery, with the seals and labels affixed on them by the Senior Officer in charge of the Distillery, and under cover of his passes. In cases in which breakage in transit may be apprehended, the Senior Officer will arrange for the bottling and sealing being done by Range Supervisors to whom adequate supplies of such liquor may be sent in jars from the Distillery for the purpose.

2. Should the shop keeper or vend renter wish to have liquor of higher strength than 10° under proof, he shall obtain therefor the special orders of the Deputy Commissioner of the District for which the liquor is intended. Under these special orders, the liquor indented for will be issued.